

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Kataram Gram Panchayat - Appeal petition filed by Sri Janagama Shankaraiah, Sarpanch(Removed) - Kataram Gram Panchayat & Mandal, Karimnagar District against the proceedings of the District Collector (PW) , Karimnagar – Disallowed – Orders – Issued

PANCHAYAT RAJ & RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O.Rt.No. 308

Dated: 21-02-2012

Read the following:

1. G.O. Rt.No. 253, PR & RD (Pts.II) Deptt.,dt 21-02-2011.
2. From GP for PR , W.P.No. 5953/2011 2011 filed by Sri Janagama Shankaraiah, Sarpanch(Removed), Kataram Gram Panchayat, Kataram Mandal, Karimnagar District, Dt.8.3.2011.
3. From the Asst. Registrar, APHC, Hyd. WPMPNo.7398 of 2011 in WPNo 5953 of 2011, dt. 9.3.2011.
4. From the Deputy Registrar, APHC, Hyd. WPNo 25180 of 2007, dt. 10.2.2011.
5. From the Asst. Registrar, APHC, Hyd. WPNo 14536 of 2011, dt. 15.6.2011.

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ORDER:

In the references 1st read above, the case was heard on 14.2.2011 and the Government have disallowed the appeal petition filed by Sri J. Shankaraiah, Sarpanch (Removed) , Kataram Gram Panchayat and Mandal, Karimnagar District on the detailed reasons leading to the removal of the Sarpanch and the proceedings dt.4.9.2010 of the District Collector (PW), Karimnagar also confirmed.

2. In the references 2nd read above, Sri Janagama Shankaraiah, Sarpanch (Removed), Kataram Gram Panchayat, Kataram Mandal, Karimnagar District has filed WP in the Hon'ble High Court to against his removal from the post of Sarpanch in W.P.No.5953 of 2011. The Hon'ble High Court in its WPMP No. 7398 of 2011 in WP No.5953 of 2011 , dt.9.3.2011 has passed the orders to take notice from the respondents and seek time for filing Counter Affidavit.

3. In the references 3rd read above, the Hon'ble High Court while suspending the orders of Government issued vide G.O.Rt.No.253, dt.21.2.2011 for pending further orders in WPMP No.7398 of 2011 in W.P.No.5953 of 2011.

4. In the references 4th read above, the APHC in its WP No. 25180 of 2007 , dt.10.2.2011 observed that the power under Section 249(6) cannot be construed only as an action for suspension pending inquiry in to the charges under section 249 (6) of the Act. It need not necessarily be construed as an action only pending inquiry into the charges by framing charges under section 249 (1) of the Act and requested the registry is directed to place the papers before the Hon'ble the Chief Justice for necessary orders.

5. In the references 5th read above, the Hon'ble High Court while disposing the W.P.No.14536 of 2011 dt.15.6.2011 filed by Sri Janagama Shankaraih , Sarpanch (Removed) , Kataram Gram Panchayat and Mandal, Karimnagar District has directed to the Petitioner to avail the remedy and also seek interim orders as per law.

(PTO)

6. The case was heard on 04.02.2012 in the chambers of Principal Secretary (PR). The DPO is present. The DPO has submitted DLPOs enquiry report for misapplication of Rs. 96,537/- . The Sarpanch was present and produced some statements of expenditure countersigned by Panchayat Secretary or Assistant Engineer. But no M- book recordings are available for the amount, nor any Gram Panchayat resolution in favour of doing the work available. The authenticity of the expenditure can not be established from the documents produced.

7. The Government, after careful examination of the case and going through the material available on records, finds no valid reasons to consider the appeal of the Sarpanch against the orders of the District Collector (PW) , Karimnagar and hereby disallowed appeal petition filed by by Sri J. Shankaraiah, Sarpanch (Removed) , Kataram Gram Panchayat and Mandal, Karimnagar District and the proceedings dated. 13.06.2011 of the District Collector (PW), Karimnagar is confirmed.

8. The District Collector (PW), Karimnagar District shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The District Collector (PW), Karimnagar District.

The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.

The District Panchayat Officer, Karimnagar District.

Copy to:

Sri J. Shankaraiah, Sarpanch (Removed) , Kataram Gram Panchayat and Mandal, Karimnagar District.

PS to M(PR).

PS to Principal Secretary (PR).

Sf/Sc.

//Forwarded By Order//

SECTION OFFICER.